IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO. 38 OF 2005

Bipin M. Gandhi ..Petitioner

Versus

Secretary, Ministry of Defence and Ors. ... Respondents.

Mr. P.B. Shah for the petitioner.
Mr. B.A. Desai, Additional Solicitor General, with Mrs. N.V. Masurkar for respondents.

CORAM: **DALVEER BHANDARI, C.J.** & **S.J. VAZIFDAR, J.**

DATE: SEPTEMBER 21, 2005.

P.C.

Vibhav Sharma, Cantonment Executive Officer, Cantonment Board, Deolali, has filed his affidavit in which it is mentioned that Government of India, Ministry of Defence, has nominated Shri M.B. Neterwalla, as a Civilian Member of the Cantonment Board vide notification dated 7th September, 2005, for the period ending 30th June, 2006 or till the constitution of the Board under Section 13 of the Cantonments Act, 1924, whichever is earlier.

2. The learned counsel for the petitioner wants to withdraw this

petition in view of the affidavit filed by Vibha Sharma. Leave as prayed is granted. This writ petition is dismissed as withdrawn.

CHIEF JUSTICE

S.J. VAZIFDAR, J.